

KTF:SMS/LAB
F. #2022R00659

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

CHRISTOPHER MOSCINSKI,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

DANIEL SCHMIDT, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about July 7, 2022, within the Eastern District of New York and elsewhere, the defendant CHRISTOPHER MOSCINSKI, by physical obstruction, did intentionally intimidate and interfere with, and attempt to intimidate and interfere with, the employees and patients of Planned Parenthood in Hempstead, New York (the “Health Center”), because they were providing and obtaining reproductive health services.

(Title 18, United States Code, Section 248(a)(1))

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

FILED UNDER SEAL

AFFIDAVIT AND
COMPLAINT IN SUPPORT
OF AN APPLICATION FOR
AN ARREST WARRANT

(18 U.S.C. § 248(a)(1))

22-MJ-1052(SIL)

1. I am a Special Agent with the Federal Bureau of Investigation and have been since 2021. I am assigned to the New York Field Office. I am experienced in investigating a variety of federal criminal matters, including civil rights offenses. My employment has vested me with the authority to investigate violations of federal laws, including violations of Title 18, United States Code, Section 248, commonly referred to as the Freedom of Access to Clinic Entrances Act or “FACE Act.” I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant’s criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. The defendant CHRISTOPHER MOSCINSKI is a 52 year-old man who publicly represents himself to be a Franciscan Friar known as “Fr. Fidelis Moscinski.” He is currently serving a 3-month state jail sentence following conviction at trial for trespassing at an abortion clinic in White Plains, New York.

3. The Planned Parenthood Health Center in Hempstead, New York (the “Health Center”) offers services relating to abortion, birth control, emergency contraception, pregnancy testing, and general women’s healthcare, among other services. The Health Center is open Monday through Friday 8:00 a.m. to 7:00 p.m. The Health Center has a gate around it, which must be open for cars to park in the parking lot adjacent to the Health Center and for people to gain access to the Health Center.

4. On July 7, 2022, at approximately 6:22 a.m., video surveillance shows that a man in plain clothes, later identified by law enforcement as the defendant CHRISTOPHER MOSCINSKI, approached the front gates of the Health Center (the “Health Center Gates”). He had a black bag and appeared to install something on the Health Center Gates until

approximately 6:38 a.m., at which point he walked away from the Health Center Gates. At approximately 6:47 a.m., he returned to the Health Center Gates dressed in what appeared to be a grey religious robe. As described herein, MOSCINSKI was arrested later that day by local law enforcement for lying in front of the Health Center Gates and preventing vehicles from entering the Health Center parking lot. At that time of his arrest, MOSCINSKI was identified by the Hempstead police as Christopher Moscinski. Based on my review of surveillance video and known photographs of MOSCINSKI, as well as MOSCINSKI's own admissions (described below), MOSCINSKI was the individual who initially approached the Health Center Gates with the black bag and returned for a photograph in a grey robe.

5. The defendant CHRISTOPHER MOSCINSKI's actions on July 7, 2022, restricted access to the Health Center. At approximately 7:24 a.m. that day, an employee of the Health Center ("Employee-1") attempted to drive into the parking lot and observed locks on the Health Center Gates. Photographic evidence provided by Health Center employees shows that approximately five locks had been fastened to the Health Center Gates, including two chains with padlocks and three bicycle locks. Witnesses reported that some of the locks appeared to have glue poured into them. Upon observing that access to the Health Center was obstructed, Employee-1 called other Health Center employees to arrange for the locks and chains to be removed. One Health Center employee contacted the police. The police responded and called the fire department for assistance.

6. At approximately 8:01 a.m., firefighters arrived at the Health Center and, together with assistance from law enforcement and civilians, removed the locks and chains from the Health Center Gates shortly before approximately 8:11 a.m.

7. At approximately 8:08 a.m., prior to the Health Center Gates being unlocked, the defendant CHRISTOPHER MOSCINSKI stood in front of the Health Center Gates. He remained there following removal of the locks and prevented vehicles from entering the Health Center parking lot. When approached, at approximately 8:11 a.m., by a Hempstead Police Officer, MOSCINSKI laid his body down in front of the Health Center Gates, physically blocking the Health Center entrance. He was arrested by the Hempstead Police Department for disorderly conduct based on his attempt to obstruct traffic to the Health Center, and his identity was confirmed.

8. Since his arrest, the defendant CHRISTOPHER MOSCINSKI has publicly spoken about his attempts to obstruct access to the Health Center on July 7, 2022. For example, during a July 14, 2022, media interview, MOSCINSKI admitted that he placed “six locks and chains” on the Health Center Gates and then laid in front of the Health Center Gates once the locks and chains were removed. When asked about his motivation, MOSCINSKI admitted in sum and substance that, among other things, “the main motivation was to try to keep that Planned Parenthood closed for as long as possible [...]”

9. Based on the foregoing facts, I submit that there is probable cause to believe that MOSCINSKI committed violations of 18 U.S.C § 248.

10. Your deponent respectfully requests that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the Internet. Premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving targets, including the accomplices of the defendant both

known and unknown, notice of the existence and scope of the investigation, an opportunity to flee from prosecution, destroy or tamper with evidence, and/or change patterns of behavior.

WHEREFORE, your deponent respectfully requests that the defendant CHRISTOPHER MOSCINSKI be dealt with according to law.

Daniel Schmidt

DANIEL SCHMIDT
Special Agent, Federal Bureau of Investigation

Sworn to before me this
28 day of September, 2022

/s/ STEVEN I. LOCKE

THE HONORABLE STEVEN I. LOCKE
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK